

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DENNIS DIMON,

Plaintiff,

VS.

C. A. No: 05-11073 NG

**METROPOLITAN LIFE
INSURANCE COMPANY, KEMPER
INSURANCE COMPANY,
MORGAN STANLEY DW, INC.,
MICHAEL B. LATTI, LATTI
ASSOCIATES, and LATTI &
ANDERSON LLP,**

Defendants.

**METROPOLITAN LIFE INSURANCE COMPANY'S
MOTION IN LIMINE
TO DEEM ADMITTED THAT CHARTER SECURITY LIFE
INSURANCE COMPANY (NEW YORK) IS NOW METLIFE**

ORAL HEARING REQUESTED

Defendant, Metropolitan Life Insurance Company (hereinafter “MetLife”), moves for an Order deeming admitted the fact that Charter Security Life Insurance Company (New York) (hereinafter “Charter”)¹ is now MetLife. Charter Security Life Insurance Company (New Jersey) is an entirely difference company that the Charter referred to in this case.

Charter issued Contract #83A08153, (the “Annuity”), which paid Plaintiff monthly benefits beginning on June 5, 1983. The Annuity was part of a block of business purchased by MetLife from Charter in 1984. MetLife has acknowledged that it is Charter’s successor in

¹ Not to be confused with Charter Security Life Insurance Company (*New Jersey*).

interest in this matter and that, for purposes of this litigation, it is subject to and possessor of the same duties and rights as that company.

WHEREFORE, Metropolitan Life Insurance Company prays that this Court issue an Order deeming admitted at the Trial of this matter the fact that Charter Security Life Insurance Company (New York) is now Metropolitan Life Insurance Company.

REQUEST FOR ORAL ARGUMENT

MetLife respectfully requests that, pursuant to Local Rule 7.1(D), the Court schedule this matter for oral argument. Oral argument will assist the Court in making its decision on MetLife's Motion.

Respectfully submitted by:

Defendant,

METROPOLITAN LIFE INSURANCE
COMPANY,

By its Attorneys,

_____/s/ James J. Ciapciak
James J. Ciapciak, BBO # 552328
Peter M. LeBlanc, BBO # 645302
CIAPCIAK & ASSOCIATES, P.C.
99 Access Road
Norwood, MA 02062
Tel: (781) 255-7401
Fax: (781) 255-7402

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing document was filed via the ECF system and will be served electronically through that system upon Counsel of Record on May 12, 2008.

_____/s/ Peter M. LeBlanc
Peter M. LeBlanc